IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
Plaintiff,)
vs.) 8:03CV238
\$6,586.05 IN UNITED STATES CURRENCY,)))
Defendant,)) ORDER
ROGER JOHN PARKER,)
Claimant.)

This matter is before the court on Roger John Parker's notice of appeal (Filing No. 38) and Motion for Leave to Proceed In Forma Pauperis (Filing No. 42). On March 22, 2005, the court assessed appellate filing fees for the appeal by the claimant, Roger John Parker, a prisoner, and directed the Clerk of Court to request the necessary inmate trust account information from the appropriate officer at the claimant's institution. **See** Filing No. 40. The court further stated that upon receipt of the trust account information, the court would calculate the initial partial appellate filing fee, notify the claimant and the claimant's institution accordingly, and process the appeal to the Eighth Circuit Court of Appeals. The Clerk of Court has obtained the claimant's inmate trust account information (Filing no. 43). The court has determined the claimant's initial partial appellate filing fee is \$15.26.

THEREFORE, IT IS ORDERED:

- 1. Mr. Parker's Motion for Leave to Proceed In Forma Pauperis (Filing No. 42) is granted. Pursuant to Fed. R. App. P. 24(a)(3), the claimant may continue to proceed in forma pauperis on appeal.
- 2. The Court hereby notifies the prison officials to pay the initial appellate partial fee from the prisoner's account to the clerk of the district court and to calculate and pay the

remaining installments to the clerk of the district court until the whole of the appellate filing fees has been paid in full as provided by § 1915(b)(2).

- 3. The Clerk of Court shall notify the claimant, the claimant's institution, and the Eighth Circuit Court of Appeals accordingly by sending them a copy of this Order and the March 22, 2005 Order (Filing No. 40).
 - 4. The Clerk shall process the appeal to the Eighth Circuit Court of Appeals. DATED this 11th day of May, 2005.

BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge